

ESTTA Tracking number: **ESTTA345785**

Filing date: **05/05/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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|---------------------------|--|
| Proceeding | 91188993 |
| Party | Defendant AFP Imaging Corporation |
| Correspondence Address | Norman H. Zivin Cooper & Dunham LLP 30 Rockefeller Plaza, 20th Floor New York, NY 10112 UNITED STATES nzivin@cooperdunham.com,hdym@cooperdunham.com |
| Submission | Answer |
| Filer's Name | Norman H. Zivin |
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| Signature | /norman h. zivin/ |
| Date | 05/05/2010 |
| Attachments | answer to amended opposition.pdf (2 pages)(8109 bytes) |

Applicant, AFP IMAGING CORPORATION, hereby responds to the Amended Notice of Opposition by ROLEX WATCH U.S.A., INC., as follows:

1. Admitted.

2. Admitted, except Applicant has no knowledge or information concerning whether the registration pleaded is incontestable, as pleaded in paragraph 2, and therefore denies same.

3. Applicant has no knowledge concerning the allegations pleaded in paragraph 3, and therefore denies same.

4. Applicant has no knowledge concerning the allegations pleaded in paragraph 4, and therefore denies same.

5. Applicant has no knowledge concerning the allegations pleaded in paragraph 5, and therefore denies same.

6. Admitted.

7. Applicant has no knowledge concerning the allegations pleaded in paragraph 7, and therefore denies same.

8. Denied.

9. Denied.

10. Applicant has no knowledge concerning the allegations pleaded in paragraph 10, and therefore denies same.

11. Admitted.

12. Denied.

13. Denied.

14. Denied.

15. Denied.

16. Denied.

17. Denied.

18. Applicant has no knowledge concerning the allegations pleaded in paragraph 18, and therefore denies same.

19. Denied.

20. Denied.

WHEREFORE, it is respectfully requested that the Opposition be dismissed with prejudice and a registration issued to Applicant.

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing ANSWER TO AMENDED OPPOSITION was served on this 5th day of May 2010 by First Class Mail, postage prepaid, addressed to the following counsel of record for the Opposer:

Peter Cousins
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____/norman h. zivin/_____
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